

IN THE CLAIMS: See Listing of Claims. This listing will replace all prior versions of claims in the application.

REMARKS

The Applicants acknowledge the Examiner's comprehensive Office Action with appreciation. The previously issued Restriction Requirement has been withdrawn, and method Claim 39 has been rejoined. The previous rejections under 35 USC § 112, first and second paragraphs have been withdrawn as a result of the Applicants' Response and Amendment of April 28, 2006. Claims 21-40 remain pending in the application. The Office raises a rejection under 35 USC § 112, first paragraph. The Office indicates that Claims 21-38 and 40 are allowable.

Claim 39 is rejected for lack of enablement under 35 USC § 112, first paragraph. It is the position of the Office that the specification, while being enabling for treatment of lung carcinoma and prostate carcinoma, does not reasonably provide enablement for treatment of all cancers. It is the position of the Office that there is no teaching or guidance in the instant specification to demonstrate how the instant compounds will have utility in treating every known cancer based on *in vitro* data showing effectiveness in only three cell lines.

As the Office acknowledges that the *in vitro* data disclosed at pages 45-46 of the specification demonstrate the effectiveness of the instant compounds with respect to three cell lines (i.e., murine leukemia, lung carcinoma, and prostate carcinoma), the Applicants respectfully submit that the instant specification provides enablement for treatment of leukemia in addition to treatment of lung carcinoma and prostate carcinoma (which conditions are acknowledged as enabled by the Office).

With the instant Amendment, Claim 39 has been amended to limit the conditions claimed to be treatable to leukemia, lung carcinoma, and prostate carcinoma. Thus, reconsideration and withdrawal of the lack of enablement rejection is respectfully requested.

* * * * *

Accordingly, entry of the present amendment, reconsideration of all grounds of objection and rejection, withdrawal thereof, and passage of this application to issue are all hereby respectfully solicited.

It should be apparent that the undersigned agent has made an earnest effort to place this application into condition for immediate allowance. If she can be of assistance to the Examiner in the elimination of any possibly-outstanding insignificant impediment to an immediate allowance, the Examiner is respectfully invited to call her at her below-listed number for such purpose.

Allowance is solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

By: 
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Enclosure: Listing of Claims and Postal Card Receipt

THE COMMISSIONER IS HEREBY AUTHORIZED TO CHARGE ANY FURTHER OR ADDITIONAL FEES WHICH MAY BE REQUIRED (DUE TO OMISSION, DEFICIENCY, OR OTHERWISE), OR TO CREDIT ANY OVERPAYMENT, TO DEPOSIT ACCOUNT NO. 08,3220.